

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Savannah Division

2008 JUL 28 AM 10:20

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United States of America)

v.)

Earl Cephus Pinckney)

Case No: CR499-00062-001

USM No: 10014-021

Date of Previous Judgment: June 16, 1999

Gerald Olding

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 34

Amended Offense Level: 34

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: _____ to 240 months

Amended Guideline Range: _____ to 240 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

The defendant's motion is denied because his offense level was determined pursuant to the career offender provisions of the sentencing guidelines.

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 7-28-2008

[Handwritten signature]
Judge's signature

Effective Date:

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia

(if different from order date)

Printed name and title